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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/500,224	02/08/2000	Takeshi Misawa	1982-0143P	2273

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EXAMINER
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AGGARWAL, YOGESH K

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 02/11/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/500,224

**Applicant(s)**

MISAWA, TAKESHI

**Examiner**

Yogesh K Aggarwal

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 7, 8, 14, 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Rebec et al (US Patent # 5,603,102).

[Claim 1]

A method of recycling a digital camera comprising:

a communication section (figure 3A: 410, col. 8 line 34-36) which outputs image data to an external device ( Figure 3A: 20, col. 8 lines 46-48) ; and

protecting means (figure 7A: 700, col. 12 lines 27-29) which covers the communication section

(figure 7B: 724) and which is removed at times when the image data is output [ Col. 4 lines 54-

56 disclose that one of the purposes of the housing is to protect the communications section from

microwaves. Therefore it is inherent that when the communications section is used to transmit or

receive video information it is removed from the housing 700 to start communicating because it

uses microwaves for communication with the satellite as disclosed in col. 9 lines 3-7],

wherein, after the protecting means is removed and the image data is taken out from the

communication section, the communication section is once again covered by the protecting

means [It is inherent that when the communication section is not being used i.e. during

transportation it is contained in the housing as disclosed in col. 4 lines 9-17).

[Claim 2]

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A method of recycling a digital camera according to claim 1, wherein the protecting means covers the communication section and charging terminals for charging a power source [Because the housing is compartmentalized to house all the equipment relating with the communications section so it is inherent that it is used for covering the charging terminals for a power source as disclosed in col. 4 lines 30-33).

[Claim 7]

A method of recycling a digital camera comprising:

a communication section (figure 3A: 410, col. 8 line 34-36) which outputs image data to an external device (Figure 3A: 20, col. 8 lines 46-48); and

protecting means (figure 7A: 700, col. 12 lines 27-29) which covers the communication section (figure 7B: 724) and which is removed at times when the image data is output [Col. 4 lines 54-56 disclose that one of the purposes of the housing is to protect the communications section from microwaves. Therefore it is inherent that when the communications section is used to transmit or receive video information it is removed from the housing 700 to start communicating because it uses microwaves for communication with the satellite 20 as disclosed in col. 9 lines 3-7].

[Claim 14]

A method of recycling a digital camera comprising:

a communication section (figure 3A: 410, col. 8 line 34-36) which outputs image data to an external device (Figure 3A: 20, col. 8 lines 46-48); and

protecting cover (figure 7A: 700, col. 12 lines 27-29) which covers the communication section (figure 7B: 724) and which is removed at times when the image data is output [Col. 4 lines 54-56 disclose that one of the purposes of the housing is to protect the communications section from

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microwaves. Therefore it is inherent that when the communications section is used to transmit or receive video information it is removed from the housing 700 to start communicating because it uses microwaves for communication with the satellite 20 as disclosed in col. 9 lines 3-7].

Re Claims 8 and 15 these claims are identical to claim 2. Therefore they have been analyzed and rejected based upon claim 2.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3,4,9,10,16,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rebec et al (US Patent # 5,603,102) in view of Yarush et al. (US Patent # 5,879,289).

[Claim 3]

Rebec teaches the limitations of claim 1 but fails to teach "... wherein said protecting means is a sheet shaped member which is elastic". However these limitations are well known in the art as taught in Yarush [Col. 15 lines 50-53 figure 9 disclose a housing 202 for housing the video-imaging means i.e. a camera and a power supply means. Col. 16 lines 25-32 disclose that the housing 202 may be waterproof by disposing a rubber grommet or O-ring around it. Rubber is well known to be a sheet-shaped member and elastic in nature]. Therefore taking the combined teachings of Rebec and Yarush it would have been obvious to one skilled in the art to have a protecting means which is a sheet shaped member and elastic. Doing so would allow the housing to be waterproof or water-resistant as taught in Yarush (col. 16 lines 25-32)

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[Claim 4]

Rebec teaches the limitations of claim 1 but fails to teach "... wherein said protecting means is a protection film, which wraps up the communication section and the charging terminals".

However these limitations are well known in the art as taught in Yarush [Col. 15 lines 50-53 figure 9 disclose a housing 202 for housing the video-imaging means i.e. a camera and a power supply means and can also be used for charging terminals. Col. 16 lines 25-32 disclose that the housing 202 may be waterproof by disposing a rubber grommet or O-ring around it. Rubber can be stretched thin enough so that we can have protection film made of rubber]. Therefore taking the combined teachings of Rebec and Yarush it would have been obvious to one skilled in the art to have a protection film, which wraps up the communication section and the charging terminals. Doing so would allow the housing to be waterproof or water-resistant as taught in Yarush (col. 16 lines 25-32).

Re Claims 9,10, 16,17 these claims are identical to claims 3,4 respectively. Therefore they have been analyzed and rejected based upon claims 3,4.

5. Claims 5, 11, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rebec et al (US Patent # 5,603,102) in view of Hatori (JP Patent # 410042231A).

[Claim 5]

Rebec teaches the limitations of claim 1 but fails to teach "... an indicating means for indicating that said protecting means was removed." However these limitations are well known in the art as taught in Hatori [Hatori discloses in the solution of the abstract that switch means 106 is used to detect the open or closed state of the card cover 104 which is used to inhibit the insertion/detachment of the recording medium]. Therefore taking the combined teachings of

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Rebec and Hatori it would have been obvious to one skilled in the art to have an indicating means for indicating that said protecting means was removed. Doing so would allow to safely write and read data to/from a recording medium inserted to a digital camera as taught in Hatori (Abstract).

Re Claims 11 and 18 these claims are identical to claim 5. Therefore they have been analyzed and rejected based upon claim 5.

6. Claims 6,13,20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rebec et al (US Patent # 5,603,102) as applied to claims 5, 11, 18 respectively and in view of Hatori (JP Patent # 410042231A) in further view of Norris (US Patent # 4,523,825).

[Claim 6]

Rebec and Hatori fails to teach the limitations of claim 5 but fails to teach "... wherein said indicating means is a "seal broken" mark which is exposed when the protecting means is removed". However these limitations are well known in the art as taught in Norris (col. 2 lines 61-63). Therefore taking the combined teachings of Rebec, Hatori and Norris as a whole it would have been obvious to one skilled in the art to have an indicating means that is a "seal broken" mark which is exposed when the protecting means is removed. Doing so would allow protecting the security of the data contained in the communication device.

Re Claims 13 and 20 these claims are identical to claim 6. Therefore they have been analyzed and rejected based upon claim 6.

7. Claims 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rebec et al (US Patent # 5,603,102) as applied to claims 7, 14 respectively and further in view of Arai (US Patent # 6,642,959).

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[Claim 12]

Rebec teaches the limitations of claim 7 but fails to teach, "... wherein said communication section is formed integrally with a body of the digital camera, and is a window whose transmission of data to and receipt of data from an external device is controlled by a CPU".

However these limitations are well known in the art as taught in Arai (col. 21 lines 1-5)[The antenna acts as a window for the communication section]. Therefore taking the combined teachings of Rebec and Arai as a whole it would have been obvious to one skilled in the art to have a communication section formed integrally with a body of the digital camera having a window whose transmission of data to and receipt of data from an external device is controlled by a CPU. Doing so would allow sending pictures from the communication section antenna to the external device as suggested by Arai.

Re Claims 19 this claim is identical to claim 12. Therefore it has been analyzed and rejected based upon claim 12.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K Aggarwal whose telephone number is (703) 308-9644. The examiner can normally be reached on M-F 8:00AM-4: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew B Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.




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YKA

January 27, 2004

  
VULE  
PRIMARY EXAMINER